

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): ASAKI, Tetsuo, et al. Examiner: TBD
US Application No. 10/584,829 Group Art Unit: TBD
Filing Date: June 26, 2006 Confirmation No. 4964
For: Amide Derivative and Medicine

**REQUEST FOR CORRECTION OF APPLICATION FILING DATE
AND WITHDRAWAL OF NOTICE OF ABANDONMENT**

Commissioner for Patents
PO Box 1450
Alexandria Virginia 22313 1450

Sir:

Applicants request the correction of the filing date for the above-identified application. The correct filing date for the application is **June 26, 2006**, which is the date that the filing papers were submitted with the United States Postal Service. As support for this request, attached is a copy of: 1) Certificate of Mailing by Express Mail; 2) Form PTO-1390 transmitting the application to the USPTO; and 3) Express Mail Airbill No. EV559713892US, which includes the US Postal Service Stamp confirming receipt of the application papers on June 26, 2006.

Examiner Alvarado is thanked for clarifying that the Notice of Abandonment was issued as a result of the error in the filing date. Upon correction of the filing date, it will be apparent that the application was filed within the 30 month deadline for entering PCT/JP2004/019553 into national phase in the United States. Therefore, it is requested that the Notice of Abandonment be withdrawn and the application reinstated. Applicants also request that the US Patent Office expedite the issuance of a filing receipt for the application.

It is believed that no fee is required for the correction of the filing date and reinstatement of the application. However, if a fee is due, the Commissioner is authorized to charge any additional fees or credit overpayments to Dreier LLP Account No. 50-4026.

Dated: November 30, 2007

I hereby certify that the correspondence attached herewith is being transmitted electronically to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

Michelle D. Ekanemesang

November 30, 2007
Date

Customer Number: 61834

Respectively submitted,



Gerard F. Diebner
Reg. No. 31,345

DREIER LLP
499 Park Avenue
New York, New York 10022
Tel : (212) 328-6100
Fax: (212) 600-9499

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): ASAKI, et al.

Docket Number

44342-025000

Serial No.
not yet knownFiling Date
herewithExaminer
not yet knownGroup Art Unit
not yet known

Invention: AMIDE DERIVATIVE AND MEDICINE

I hereby certify that the following correspondence:

Transmittal Form PTO 1390; Copy of International Application No. PCT/JP2004/019553 including English ISR; Specification (177 pages); Abstract (1 page); Information Disclosure Citation (13) references cited; Unsigned Declaration/Power of Attorney; Typescript copy of the Request in Japanese as filed; Certificate of Express Mail; Postcard Receipt.

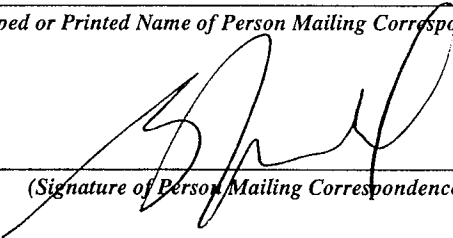
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 26, 2006

(Date)

Shoba Jaglal-Grullon

(Typed or Printed Name of Person Mailing Correspondence)
(Signature of Person Mailing Correspondence)

EV 559713892US

*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 44342.025000 U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/JP2004/019553	INTERNATIONAL FILING DATE 27 December 2004	PRIORITY DATE CLAIMED 25 December 2003
TITLE OF INVENTION AMIDE DERIVATIVE AND MEDICINE		
APPLICANT(S) FOR DO/EO/US ASAKI Tetsuo, SUGIYAMA Yukiteru, SEGAWA Jun and SHIMIZU Naoto		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). Items 11 to 20 below concern document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/JP2004/019553	ATTORNEY'S DOCKET NUMBER 44342 025000
20. Other items or information: Typescript copy of the Request of the International Application in Japanese as filed.		
The following fees have been submitted		CALCULATIONS
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300		\$ 300
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))		
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0		
All other situations..... \$200		200
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))		
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0		
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100		
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400		400
All other situations..... \$500		
TOTAL OF 21, 22 and 23 =		900
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
- 100 =	/50 =	x \$250
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	18 - 20 =	0
Independent claims	1 - 3 =	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360
TOTAL OF ABOVE CALCULATIONS =		\$ 360
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		
SUBTOTAL =		\$
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		+
TOTAL NATIONAL FEE =		\$ 1260
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+
TOTAL FEES ENCLOSED =		\$ 1260
		Amount to be refunded:
		\$
		Amount to be charged
		\$

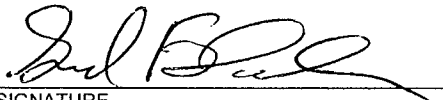
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-1561 in the amount of \$ 1260 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1561. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Gerard F. Diebner
GREENBERG TRAURIG
200 Park Avenue,
New York, NY 10166



SIGNATURE
Gerard F. Diebner

NAME
31,345

REGISTRATION NUMBER



EV 559713A92 US



Customer Copy
Label 11-F, April 2004

UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL SERVICE USE ONLY)

Po ZIP Code	10022	Day of Delivery	<input checked="" type="checkbox"/> Next <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd Day	Postage	\$ 32.05
Date Accepted	6-26-06	Scheduled Date of Delivery	6-26	Return Receipt Fee	\$
Mo. Day Year	6-26-06	Month Day Year	6-26-06	COD Fee	\$
Time Accepted	AM	Scheduled Time of Delivery	3 PM	Insurance Fee	\$
Mo. Day Year	6-26-06	Month Day Year	6-26-06	Total Postage & Fees	\$ 32.05
Flat Rate <input type="checkbox"/> or Weight <input checked="" type="checkbox"/>	15 lbs.	Int'l Alpha County Code		Acceptance	PA
Int'l Alpha County Code		Acceptance	PA	Signature	

DELIVERY (POSTAL SERVICE USE ONLY)

Delivery Attempt	Time	Employee Signature
Mo. Day Year	Time	Signature
Delivery Attempt	Time	Signature
Mo. Day Year	Time	Signature
Delivery Date	Time	Signature
Mo. Day Year	Time	Signature

NO DELIVERY ☐ ☐

NEW YORK NY 10022
JUN 26 2006
F.D. 119

CUSTOMER USE ONLY
METHOD OF PAYMENT:
Express Mail Corporate Acct. No.

Federal Agency Acct. No. or
Postal Service Acct. No.

FROM: PLEASE PRINT
GREENBERG TRAUBEN
200 PARK AVE FL 14
NEW YORK NY 10166-1499

TO: PLEASE PRINT
MAIL STOP
COMMISSIONER FOR PATENTS
PO BOX 1450
ALEXANDRIA VA 22313-1450

FOR PICKUP OR TRACKING: Visit www.usps.com

or Call 1-800-222-1811

